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May 6, 2024

By ECF

Honorable Denise Cote  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**MEMO ENDORSED**

**Re: United States v. Gina Mestre  
23 Cr. 418 (DLC)**

Dear Judge Cote,

Ms. Mestre was sentenced by your Honor on March 29, 2024. As a condition of her sentence, Ms. Mestre is required to surrender to a designated BOP facility by 2:00 p.m. on May 10, 2024, to begin serving a 70-month prison sentence. Because Ms. Mestre's family and friends all live in New York State, upon the application of the defense, the Court recommended to the Bureau of Prisons that Mestre be designated to a facility "as close to the New York City area as possible." (See *Judgment*, Doc. #34). Unfortunately it appears that the Bureau of Prisons disregarded the Court's recommendation (as well as its own stated policies) and designated Ms. Mestre to FCI Aliceville in Aliceville, Alabama.

Admittedly, there are few low-security female BOP facilities in the United States.<sup>1</sup> One of them, however, happens to be in nearby Danbury, CT. Thus, it is not entirely clear why the Bureau of Prisons would choose to designate Mestre to a facility over 1,000 miles away from her home and family. Although there may ultimately be little that the defense (or the Court) can do about it, I would at least appreciate the opportunity to see if there is anything that can be done.

Accordingly, the defense respectfully requests that the Court postpone Ms. Mestre's surrender date two-weeks and allow her to self-surrender to a facility designated by the BOP facility by 2:00 p.m. on May 24, 2024.<sup>2</sup> I have personally spoken with AUSA Dominic A. Gentile who has *no objection* to this request for the reasons stated herein

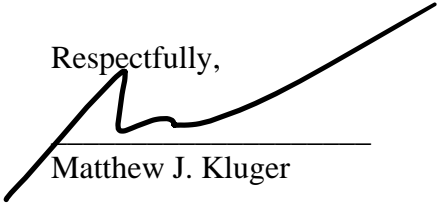
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<sup>1</sup> Even less now after FCI Dublin was ordered shut down last week after U.S. District Court Judge Yvonne Gonzalez Rogers concluded that "Dublin is a dysfunctional mess. The situation can no longer be tolerated." <https://www.ktvu.com/news/powerless-in-prison-the-shutdown-of-fci-dublin>

<sup>2</sup> Ms. Mestre has been in compliance with all of the terms of her release since her arrest.

Thank you.

Respectfully,




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Matthew J. Kluger

cc: AUSA Dominic Gentile  
AUSA James Ligtenberg  
PSO Andrew Abbott (email)

Denied.

SO ORDERED  
May 6, 2024



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DENISE COTE  
United States District Judge